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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,298	10/10/2003	Zeenat Jetha	23607US01	7344

23446 7590 06/28/2011
MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER	
CHOW, JEFFREY J	
ART UNIT	PAPER NUMBER
2628	
NOTIFICATION DATE	DELIVERY MODE
06/28/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mhmpto@mcandrews-ip.com

Office Action Summary	**Application No.** 10/682,298	**Applicant(s)** JETHA ET AL.
	Examiner JEFFREY CHOW	**Art Unit** 2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 April 2011*.
2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15,19-34,36-45 and 47-51* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-15,19-34,36-45 and 47-51* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☒ All b)☐ Some * c)☐ None of:
    1.☒ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :2/12/10; 4/2/10; 6/21/10; 9/17/10; 11/9/10; 12/6/10.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1 – 15, 19 – 34, 36 – 45, and 47 – 49 filed 02 April 2010, have been considered but are moot in view of the new ground(s) of rejection.

The 35 U.S.C. 101 rejections have been maintained. The preamble containing "machine-implemented method" is not given patentable weight since none of the limitations explicitly requires a machine. Furthermore, editing an image does not transform the image to another object since the image is still consider as an image.

Examiner kindly request the rest of the 35 U.S.C. 101 rejections, specifically regarding previously presented claims 48 and 49, to be read and sufficiently responded to in the next filed response by the Applicant.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 2, 14, 15, 19 – 21, 33, 34, 50, and 51 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Based on *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978), *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876), and *In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008) decisions and based upon consideration of all of the relevant factors with respect to the claim as a whole, the claims are held to claim an abstract idea, and is/are therefore rejected as ineligible subject matter under 35 U.S.C. 101. While the instant claim(s) recite a series of steps or acts to be performed, the claim(s) neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process. It is noted that although the preamble recites "A machine-implemented method", the claim language does not actually require that any of the recited steps are performed using a machine, and therefore none of the recited steps are considered limited to machine implementation. For instance, the method including steps of distorting, overlaying, and propagating is of sufficient breadth that it would be reasonably interpreted as a series of steps completely performed by a person without a machine. The Applicant has provided no explicit and deliberate definitions of “distorting”, “overlaying”, “altering”, “propagating” or “saving” to limit the steps to the electronic form, and the claim language itself is sufficiently broad to read on a person to draw a magnified image corresponding to an image and overlaying the magnified image over the corresponding area of the image and further making annotations on the magnified image and the images, while recording all the edits made to the image on a piece of paper and telling another person to follow the directions on the piece of paper to make the same edits.

Claims 48 and 49 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 48 and 49 fail to fall within a statutory category of the invention. Claims 48 and 49 disclose, “computer readable media”. The original specification does not explicitly define or limit or use the phrase “computer-readable media”, but have support for non-transitory computer-readable media (paragraph 67). Therefore the phrase “computer-readable media” can be reasonably interpreted to comprise a non-transitory computer-readable media and a transitory computer-readable media. The transitory computer readable media are considered to be transmission media. Therefore "computer readable media" in claims 48 and 49 are considered to be non-statutory. Claims that recite nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism, per se, and as such are nonstatutory natural phenomena (O'Reilly, 56 U.S. (15 How.) at 112-14). Moreover, it does not appear that a claim reciting a signal encoded with functional descriptive material falls within any of the categories of patentable subject matter set forth in § 101.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 14, 15, 19 – 21, 33, 34, 36, 37, and 47 – 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baar et al. (US 2002/0044154) in view of Higgins et al. (US 2003/0052896) and Callahan et al. (US 6,697,067).

Regarding independent claim 1, Baar teaches a machine-implemented method comprising

in response to receiving an indication to edit a region of an image (paragraph 32: a lens is applied to a portion of the image), distorting a predetermined portion (paragraph 32: as an example, a lens is applied to the fifth column) of a first layer of the image (paragraph 47:

detailed layer of a geographic map containing, for example, detailed precipitation, population, and disease data are only displayed in a particular region of interest 233) to produce a distorted image for the region having a magnification (paragraph 32: as an example, the font size is increased in the region of interest 233) that is not uniform across the region (paragraph 32 and Figure 4: as an example, the top 420 and bottom 430 of the lens 410 are tapered to provide a continuous transition to the unmagnified text 440),

overlaying the distorted image on a second layer of the image to present an overlaid image on a display (paragraph 47: detailed layer of a geographic map displayed in a particular region of interest 233 is overlaid on the geographic map).

Baar does not expressly disclose altering a presentation for the first layer on the display in response to edits made to the first layer,

propagating edits made to the first layer of the overlaid image through to a presentation for the second layer on the display. Higgins discloses when a change occurs on one map, the system causes the same change to occur on the other map (paragraph 110). It would have been obvious to modify Baar's system to modify one map and propagate changes to other maps (or layers), for example edits made to the geographic map is made to the other layers of the geographic maps, such as the detailed precipitation, population, and disease data. One would be motivated to do so because users would not have to make the same changes to multiple maps (or layers).

Baar does not expressly disclose saving edits made to the presentations for the first layer and the second layer as one or more bookmarks that permit subsequent recall and application to the first layer and the second layer. Callahan discloses an associated configuration of originalCine is saved, originalCINE can be reconfigured to the associated configuration it had when the view was selected, thereby enabling the data to be further manipulated from this point (column 10, lines 1 – 5). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to use an associated configuration that keeps track of edits made to the original images. One would be motivated to do so because this would allow other users to see how changes were made from the original images or help save time in editing when making the same edits.

Regarding dependent claim 2, Baar teaches wherein the distorting further includes

creating a lens surface for the distorted image (paragraph 24 and Figures 1 and 2: distorted surface 230), and

transforming the predetermined portion of the first layer by applying a distortion function to define the lens surface to the predetermined portion of the first layer (paragraph 24 and Figures 1 and 2: points in the basal plane 210, wherein the basal plane contain undistorted 2D data points of the image, are displaced upward onto a distorted surface 230 which is defined by a general 3D distortion function).

Regarding dependent claim 14, Baar teaches wherein the first or second layers are one or more of raster, vector, point or geo-referenced data layers (paragraph 47: geographic map).

Regarding dependent claim 15, Baar teaches wherein the indication, region, predetermined portion, first layer, distorted image, or second layer includes a plurality of the indications, regions, predetermined portions, first layers (paragraph 47: multiple detailed layers), distorted images, or second layers, respectively.

Regarding dependent claim 19, the combination of Baar's and Callahan's systems teaches applying the one or more bookmarks to alter presentations for the first layer and the second layer (Callahan, column 10, lines 1 – 5, associated configuration).

Regarding independent claim 20, Baar teaches a machine-implemented method comprising

distorting a predetermined portion (paragraph 32: as an example, a lens is applied to the fifth column) of a first layer of an image (paragraph 47: detailed layer of a geographic map containing, for example, detailed precipitation, population, and disease data are only displayed in a particular region of interest 233) to produce a distorted image for a region of the image having a magnification (paragraph 32: as an example, the font size is increased in the region of interest 233) that is not uniform across the region (paragraph 32 and Figure 4: as an example, the top 420 and bottom 430 of the lens 410 are tapered to provide a continuous transition to the unmagnified text 440),

overlaying the distorted image on a second layer of the image for presentation on a display (paragraph 47: detailed layer of a geographic map displayed in a particular region of interest 233 is overlaid on the geographic map).

Baar does not expressly disclose altering a digital representation for the first layer in response to edits made to the first layer, propagating edits made to the first layer to a digital representation of the second layer to obtain an altered digital representation of the second layer. Higgins discloses when a change occurs on one map, the system causes the same change to occur on the other map (paragraph 110). It would have been obvious to modify Baar's system to modify one map and propagate changes to other maps (or layers), for example edits made to the geographic map is made to the other layers of the geographic maps, such as the detailed precipitation, population, and disease data. One would be motivated to do so because users would not have to make the same changes to multiple maps (or layers).

Baar does not expressly disclose saving the altered digital representation for the first layer and altered digital representation for the second layer. Callahan discloses an associated configuration of originalCine is saved, originalCINE can be reconfigured to the associated configuration it had when the view was selected, thereby enabling the data to be further manipulated from this point (column 10, lines 1 – 5). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to use an associated configuration that keeps track of edits made to the original images. One would be motivated to do so because this would allow other users to see how changes were made from the original images or help save time in editing when making the same edits.

Regarding dependent claim 21, Baar teaches wherein the distorting further includes

creating a lens surface for the distorted image (paragraph 24 and Figures 1 and 2: distorted surface 230), and transforming the predetermined portion of the first layer by applying a distortion function to define the lens surface to the predetermined portion of the first layer (paragraph 24 and Figures 1 and 2: points in the basal plane 210, wherein the basal plane contain undistorted 2D data points of the image, are displaced upward onto a distorted surface 230 which is defined by a general 3D distortion function).

Regarding dependent claim 33, Baar teaches wherein the first or second layers are one or more of raster, vector, point or geo-referenced data layers (paragraph 47: geographic map).

Regarding dependent claim 34, Baar teaches wherein the indication, region, predetermined portion, first layer, distorted image, or second layer includes a plurality of the indications, regions, predetermined portions, first layers (paragraph 47: multiple detailed layers), distorted images, or second layers, respectively.

Regarding dependent claim 50, the combination of Baar's, Higgins', and Callahan's systems teaches wherein said saving comprises saving the altered digital representation for the first layer and the altered digital representation for the second layer to a disk drive (Callahan, column 10, lines 1 – 5, associated configuration is used to recall edits made to the original image; Higgins, paragraph 110: when a change occurs on one map, the system causes the same change to occur on the other map).

Regarding independent claims 36, and 48 and dependent claims 37, 47, and 49, claims 36, 37, 47, 48, and 49 are similar in scope as to claims 1, 2, and 19, thus the rejections for claims 1, 2, and 19 hereinabove are applicable to claims 36, 37, 47, 48, and 49. Baar teaches a data processing system comprising processor, and a memory comprising instructions data are executable on the processor to cause the data processing system to perform operations (Claim 26). Baar discloses one or more computer-readable media comprising instructions stored thereon that, responsive to execution by a data processing system, causes the data processing system to perform operations (Claim 26).

Claims 3, 22, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baar et al. (US 2002/0044154) in view of Higgins et al. (US 2003/0052896) and Callahan et al. (US 6,697,067) and Dürsteler ("The digital magazine of InfoVis.net", 4/22/2002).

Regarding dependent claim 3, Baar teaches wherein the creating further includes

displaying a graphical user interface ("GUI") over the distorted image for adjusting the lens surface. Dürsteler discloses multiple graphical user interface tools, such as resizing and magnification for adjusting the lens (pg 2, see Figure towards top). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baar's system by incorporating graphical user interface tools for adjusting the content in focus. One would be motivated to do so because this would allow users to adjust the view of the desired content.

Regarding dependent claim 22, Baar teaches wherein the creating further includes displaying a graphical user interface ("GUI") over the distorted image for adjusting the lens surface. Dürsteler discloses multiple graphical user interface tools, such as resizing and magnification for adjusting the lens (pg 2, see Figure towards top). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baar's system by incorporating graphical user interface tools for adjusting the content in focus. One would be motivated to do so because this would allow users to adjust the view of the desired content.

Regarding dependent claim 38, claim 38 is similar in scope as to claim 3, thus the rejection for claim 3 hereinabove is applicable to claim 38.

Claims 4, 13, 23, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baar et al. (US 2002/0044154) in view of Higgins et al. (US 2003/0052896) and Callahan et al. (US 6,697,067) and Dürsteler ("The digital magazine of InfoVis.net", 4/22/2002) and Applicant Admitted Prior Art (AAPA, paragraphs 66 and 81).

Regarding dependent claim 4, Baar teaches wherein the lens surface includes a focal region (paragraph 24 and Figures 1 and 2: a reference view plane 201) and a base region (paragraph 24 and Figures 1 and 2: a distorted surface 230).

The combination of Baar's and Dürsteler's systems teaches GUI includes

an icon configured to adjust a magnification for the lens surface (Dürsteler, pg 2, see Figure towards top: "Magnify" icons),

an icon configured to adjust a degree of scooping for the lens surface (Dürsteler, pg 2, see Figure towards top: "Adjust Lens Scoop" icon), an icon configured to adjust a size and a shape for the focal region (Dürsteler, pg 2, see Figure towards top: "Resize Focal Region" icon),

an icon configured to adjust a size and a shape for the base region (Dürsteler, pg 2, see Figure towards top: "Resize Base" icon),

an icon configured to adjust a location for the lens surface within the first layer (Dürsteler, pg 2, see Figure towards top: "Move Lens" icon),

an icon configured to adjust a location for the base region within the first layer (Dürsteler, pg 2, see Figure towards top: "Place Lens" icon).

Baar does not expressly disclose a fold control element configured to adjust a degree and direction of folding of the focal region relative to the base region. AAPA discloses "Lens functions that describe basic lens types with point and circular focal regions, as well as certain more complex lenses and advanced capabilities such as folding, have previously been described by Carpendale" (paragraph 66) and "control of the degree and direction of folding (i.e. skewing of the viewer aligned vector 231 as described by Carpendale)" (paragraph 81). It would have been obvious for one of ordinary skill in the art at the time of the invention to further modify the combination of Baar's and Dürsteler's systems to have a fold control element to adjust a degree and direction of folding of the focal region relative to the base region. One would be motivated to do so because this could help users analyze the images by viewing different layers of the same area with the same magnification at different times.

Regarding dependent claim 13, the combination of Baar's and Dürsteler's systems teaches wherein the adjusting is performed and the indication is generated responsive to an input to cause movement of a cursor on the display (Baar, paragraph 52 and Figure 3: control of lens shape is provided by "dragging" a lens border with a pointing device 310).

Regarding dependent claim 23, Baar teaches wherein the lens surface includes a focal region (paragraph 24 and Figures 1 and 2: a reference view plane 201) and a base region (paragraph 24 and Figures 1 and 2: a distorted surface 230).

The combination of Baar's and Dürsteler's systems teaches GUI includes

an icon configured to adjust a magnification for the lens surface (Dürsteler, pg 2, see Figure towards top: "Magnify" icons),

an icon configured to adjust a degree of scooping for the lens surface (Dürsteler, pg 2, see Figure towards top: "Adjust Lens Scoop" icon),

an icon configured to adjust a size and a shape for the focal region (Dürsteler, pg 2, see Figure towards top: "Resize Focal Region" icon),

an icon configured to adjust a size and a shape for the base region (Dürsteler, pg 2, see Figure towards top: "Resize Base" icon),

an icon configured to adjust a location for the lens surface within the first layer (Dürsteler, pg 2, see Figure towards top: "Move Lens" icon),

an icon configured to adjust a location for the base region within the first layer (Dürsteler, pg 2, see Figure towards top: "Place Lens" icon).

> Baar does not expressly disclose a fold control element configured to adjust a degree and direction of folding of the focal region relative to the base region. AAPA discloses "Lens functions that describe basic lens types with point and circular focal regions, as well as certain more complex lenses and advanced capabilities such as folding, have previously been described by Carpendale" (paragraph 66) and "control of the degree and direction of folding (i.e. skewing of the viewer aligned vector 231 as described by Carpendale)" (paragraph 81). It would have been obvious for one of ordinary skill in the art at the time of the invention to further modify the combination of Baar's and Dürsteler's systems to have a fold control element to adjust a degree and direction of folding of the focal region relative to the base region. One would be motivated to do so because this could help users analyze the images by viewing different layers of the same area with the same magnification at different times.

Regarding dependent claim 32, the combination of Baar's and Dürsteler's systems teaches wherein the adjusting is performed and the indication is generated responsive to an input to cause movement of a cursor on the display (Baar, paragraph 52 and Figure 3: control of lens shape is provided by "dragging" a lens border with a pointing device 310).

Claims 5 – 7, 24 – 26, and 39 – 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baar et al. (US 2002/0044154) in view of Higgins et al. (US 2003/0052896) and Callahan et al. (US 6,697,067) and Dürsteler ("The digital magazine of InfoVis.net", 4/22/2002) and Mullet et al. (US 5,638,523).

Regarding dependent claim 5, Baar does not expressly disclose wherein the GUI further supports at least one of an icon or a keyboard input for switching between the first and second layers. Mullet discloses a toggle switch 19 can be toggled to place the browsing tool 10 in a permanent magnification mode such that the contents in viewing area 15 is always enhanced (column 6, lines 1 – 4 and Figure 3a) and a user moving the cursor 21 using the cursor control device 25 and the information within the viewing area 15 is not affected until after a predetermined amount of time (column 4, lines 39 – 50). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to toggle between layers. One would be motivated to do so because users may see the desired views for comparison.

Regarding dependent claim 6, the combination of Baar's and Mullet's systems teaches wherein the GUI further supports at least one of an icon or a keyboard input for selecting among the first and second layers (Mullet, column 6, lines 1 – 4 and Figure 3a: a toggle switch 19 can be toggled to place the browsing tool 10 in a permanent magnification mode such that the contents in viewing area 15 is always enhanced).

Regarding dependent claim 7, Baar teaches wherein the GUI further supports at least one of an icon or a keyboard input for selecting a folded lens surface (paragraph 27: complex lens functions, such as folding, described by Carpendale reference).

Regarding dependent claim 24, Baar does not expressly disclose wherein the GUI further supports at least one of an icon or a keyboard input for switching between the first and second layers. Mullet discloses a toggle switch 19 can be toggled to place the browsing tool 10 in a permanent magnification mode such that the contents in viewing area 15 is always enhanced (column 6, lines 1 – 4 and Figure 3a) and a user moving the cursor 21 using the cursor control device 25 and the information within the viewing area 15 is not affected until after a predetermined amount of time (column 4, lines 39 – 50). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to toggle between layers. One would be motivated to do so because users may see the desired views for comparison.

Regarding dependent claim 25, the combination of Baar's and Mullet's systems teaches wherein the GUI further supports at least one of an icon or a keyboard input for selecting among the first and second layers (Mullet, column 6, lines 1 – 4 and Figure 3a: a toggle switch 19 can be toggled to place the browsing tool 10 in a permanent magnification mode such that the contents in viewing area 15 is always enhanced).

Regarding dependent claim 26, Baar teaches wherein the GUI further supports at least one of an icon or a keyboard input for selecting a folded lens surface (paragraph 27: complex lens functions, such as folding, described by Carpendale reference).

Regarding dependent claims 39 – 41, claims 39 – 41 are similar in scope as to claims 5 – 7, thus the rejections for claims 5 – 7 hereinabove are applicable to claims 39 – 41.

Claims 8 – 12, 27 – 31, and 42 – 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baar et al. (US 2002/0044154) in view of Higgins et al. (US 2003/0052896) and Callahan et al. (US 6,697,067) and Dürsteler ("The digital magazine of InfoVis.net", 4/22/2002) and Mullet et al. (US 5,638,523) and Carpendale ("A Framework for Elastic Presentation Space", 1999).

Regarding dependent claim 8, Baar teaches focal region for displaying a portion of the second layer (Figure 4: lens 410 displaying magnified content of the image). Baar does not expressly disclose wherein the folded lens surface includes a second focal region. Carpendale discloses multiple folding focal regions (Figures 5.9a and 5.9b). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to have multiple folding focal regions. One would be motivated to do so because this could help users to easily analyze multiple areas of interests.

Regarding dependent claim 9, Baar does not expressly disclose wherein the focal region is folded away from an original position relative to the base region. Carpendale discloses the folding focal regions being moved away from the original position and accommodating both magnified views (Figure 5.9b). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to have folding focal regions to move away from the original position and away from each other. One would be motivated to do so because this would allow the focal regions to be easily viewed without occlusion.

Regarding dependent claim 10, the combination of Baar's and Carpendale's systems teaches wherein the second focal region is located at the original position (Carpendale, Figure 5.9b: the magnified portion is based on the desired location to be magnified).

Regarding dependent claim 11, the combination of Baar's and Dürsteler's systems teaches wherein the GUI further supports at least one of an icon or a keyboard input for selecting a user adjustable window for display in the focal region (Dürsteler, pg 2, see Figure towards top: lens GUI is overlaid on top of the image; Baar, paragraphs 52 and 53: adjusting various dimensions of the lens by using a point device 310).

Regarding dependent claim 12, Baar teaches wherein the window is configured to display a portion of the second layer (paragraph 47: blending between multiple sets of data, including the basic geographic map, within the regions of interest 233).

Regarding dependent claim 27, Baar teaches focal region for displaying a portion of the second layer (Figure 4: lens 410 displaying magnified content of the image). Baar does not expressly disclose wherein the folded lens surface includes a second focal region. Carpendale discloses multiple folding focal regions (Figures 5.9a and 5.9b). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to have multiple folding focal regions. One would be motivated to do so because this could help users to easily analyze multiple areas of interests.

Regarding dependent claim 28, Baar does not expressly disclose wherein the focal region is folded away from an original position relative to the base region. Carpendale discloses the folding focal regions being moved away from the original position and accommodating both magnified views (Figure 5.9b). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to have folding focal regions to move away from the original position and away from each other. One would be motivated to do so because this would allow the focal regions to be easily viewed without occlusion.

Regarding dependent claim 29, the combination of Baar's and Carpendale's systems teaches wherein the second focal region is located at the original position (Carpendale, Figure 5.9b: the magnified portion is based on the desired location to be magnified).

Regarding dependent claim 30, the combination of Baar's and Dürsteler's systems teaches wherein the GUI further supports at least one of an icon or a keyboard input for selecting a user adjustable window for display in the focal region (Dürsteler, pg 2, see Figure towards top: lens GUI is overlaid on top of the image; Baar, paragraphs 52 and 53: adjusting various dimensions of the lens by using a point device 310).

Regarding dependent claim 31, Baar teaches wherein the window is configured to display a portion of the second layer (paragraph 47: blending between multiple sets of data, including the basic geographic map, within the regions of interest 233).

Regarding dependent claims 42 – 45, claims 42 – 45 are similar in scope as to claims 8, 9, 11, and 12, thus the rejections for claims 8, 9, 11, and 12 hereinabove are applicable to claims 42 – 45.

Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baar et al. (US 2002/0044154) in view of Higgins et al. (US 2003/0052896) and Callahan et al. (US 6,697,067) and Witte et al. (WO 99/42854).

Regarding dependent claim 51, Baar teaches wherein

said distorting comprises producing a focal region with uniform magnification of the first layer (paragraph 32 and Figure 4: lens 410 having an uniform magnification) and a plurality of shoulder regions about the focal region (paragraph 32 and Figure 4: as an example, the top 420 and bottom 430 of the lens 410 are tapered to provide a continuous transition to the unmagnified text 440).

Baar does not expressly disclose each shoulder region of a plurality of shoulder regions presenting a different layer of the image with non-uniform magnification, however Baar does disclose detailed layer of a geographic map containing, for example, detailed precipitation, population, and disease data are only displayed in a particular region of interest 233, while displaying the general geographic map surrounding the region of interest (paragraph 47) and the bottom and top tapered lenses provide a continuous transition (paragraph 32 and Figure 4). Witte discloses a radar image and a visual image are combined for display (Abstract). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Baar's system to blend two different layers in the bottom and top tapered lenses. One would be motivated to do so because this would aide users on providing additional information in the transition regions.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY CHOW whose telephone number is (571)272-8078. The examiner can normally be reached on Monday - Friday 10:00AM - 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571)-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval. (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JJC

/Ulka Chauhan/
Supervisory Patent Examiner, Art Unit 2628